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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,909	10/14/2003	Laurent Moll	BP 3257.2	3553
34399	7590	01/17/2006	EXAMINER	
GARLICK HARRISON & MARKISON LLP			NGUYEN, TANH Q	
P.O. BOX 160727			ART UNIT	
AUSTIN, TX 78716-0727			PAPER NUMBER	
			2182	

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/684,909

Applicant(s)

MOLL ET AL.

Examiner

Tanh Q. Nguyen

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 October 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-4,6-16 and 18-22 is/are rejected.  
7) ☒ Claim(s) 5 and 17 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 14 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of Group I (claims 1-22) with traverse in the reply filed on October 21, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 23-42 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to nonelected inventions, there being no allowable generic or linking claim.

### ***Specification***

3. The abstract of the disclosure is objected to because it exceeds 150 words. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
5. Claims 6-10, 18-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Each of claims 6-9, 18-21 recites the limitation "said transaction comprises" in line 1.

Each of claims 10, 22 recites the limitation “the information in the HT configuration space shadow register” in lines 1-2

There is insufficient antecedent basis for the above limitations in the claims.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-3, 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Rashid et al. (US 2003/0043836).

8. Rashid teaches a system [FIG. 4] for synchronizing configuration information in a plurality of data processing devices using a common system interconnect bus [60, 62, 64, FIG. 4], comprising:

a node controller operably connected to said system interconnect bus [Multi-Sink Port 112 connected to system interconnect bus 60, 62, or 64, FIG. 4];

a plurality of interface agents [Sink Ports and Input Ports, FIG. 4] operably connected to said node controller [connected to Multi-Sink Ports, FIG. 4];

a token ring [60, 62, 64, FIG. 4] connecting said node controller and said plurality of interface agents [FIG. 4];

wherein transactions from said interface agents are directed to said node controller [transactions from input ports are directed to Multi-Sink Port] and said node controller transfers said transactions to said system interconnect bus [Multi-Sink Port transmit transactions to system interconnect bus 60, 62, or 64, FIG. 4], detects said transactions [Multi-Sink Port detects the transactions], and transmits information to each agent using said token ring [Multi-Sink Port transmits information to each sink port using the token ring, FIG. 4].

Rashid further teaches the node controller comprises a configuration block [Page 4 - Table II] and the transactions are detected by the configuration block; the token ring is connected to the configuration block of the node controller [Multi-Sink Port connected to token ring 60, 62, 64, FIG. 4]; the agents comprising a plurality of configuration registers [Sink Port Configuration and Status Register Structure - page 4, Table I] and information transmitted on said token ring is used to update said configuration registers [[0054]]; and each of the agents comprises a CSR register [page 4 - Table I].

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

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the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. Claims 4, 6-9, 16, 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rashid et al..

12. Rashid teaches the transactions comprising input/output transactions [Sink Ports and Input Ports, FIG. 4], a control command [[0077]-[0078]], a write to a memory address [[0077]], a read from a memory address [[0078]], therefore discloses the invention except for the interface agents operating in accordance with a hypertransport protocol.

Since it was known in the art at the time the invention was made that the hypertransport protocol allows interface with current generation buses like AGP, PCI, SPI, 1394, USB 2.0, 1Gbit Ethernet, and with next generation buses like AGP8x, Infiniband, PCI-X, PCI 3.0 and 10 Gbit Ethernet, it would have been obvious to one of ordinary skill in the art at the time the invention was made for the interface agents to operate in accordance with a hypertext protocol because the hypertext protocol allows for interface with current and next generation buses.

***Allowable Subject Matter***

13. Claims 5, 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Quang Nguyen whose telephone number is (571) 272-4154 and whose e-mail address is [tanh.nguyen36@uspto.gov](mailto:tanh.nguyen36@uspto.gov). The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh, can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for After Final, Official, and Customer Services, or (571) 273-4154 for Draft to the Examiner (please label "PROPOSED" or "DRAFT").


Effective May 1, 2003 are new mailing address is:

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P.O. Box 1450  
Alexandria, VA 22313-1450

Effective December 1, 2003, hand-carried patent application related incoming correspondences would be to a centralized location.

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